THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition (M/S) No. 620 of 2006
(Under Article 226/227 of the Constitution of India)

Janeshwar Prasad S/O Sri Hardev Singh
R/o village Chudiyala Mohanpur,
Pargana Bhagwanpur, Tehsil-Roorkee,
District Haridwar. … Petitioner.

Versus

1. Consolidation Officer (V), Roorkee
   District – Haridwar.
2. Surendra Kumar
3. Dhirendra Kumar,
4. Virnedra Kumar, All sons of late Hukum Chand,
   All R/o Village Chudiyala Mohanpur, Pargana Bhagwanpur, Tehsil Roorkee, District- Haridwar.
5. Ravi Datt.
6. Janeshwar Prasad, Both sons of the Sri Hardev Singh,
   Both R/o Village- Chudiyala Mohanpur, Pargana Bhagwanpur, Tehsil Roorkee, District- Haridwar.

… Respondents

Sri Lokpal Singh, learned counsel for the petitioner.
Sri Atul Bansal Adv. holding brief learned Counsel for the State-respondent No.1.

Dated: May 24, 2006

PC:
(Hon'ble B.S.Verma, J.)

Heard learned counsel.

The petitioner has filed the present Writ Petition for issue of a direction to the respondent no. 1 to decide Suit No. 247 of 2002, Janeshwar Prasad Vs. Hukum Singh pending before him expeditiously.

The record of the case disclose that the petitioner filed an objection under Section 9(A)(2) of the Consolidation of Holdings Act before the Court of Consolidation Officer

Roorkee and the case is pending since the years 1996. According to the petitioner due to frequent adjournments of the case on one pretext or the other, the petitioner are likely to suffer irreparable loss. The learned counsel for the petitioner submitted that in the interest of justice, a direction for time bound disposal of the case be issued to the respondent no.1.

In the facts and circumstances of the case particularly the fact that the case is pending since the year 1996, it will be in the fitness of things that the respondent No. 1 be directed to expedite disposal of the case. Accordingly, the respondent no. 1 is directed to decide the case No. 347 of 2002, Janeshwar Prasad Vs. Hukum Chand expeditiously, preferably within a period of six months from the date of production of certified copy of this order. Both the parties shall cooperate in the expeditious decisions of the case.

With the aforesaid observation, the writ petition is disposed of finally.

(B.S. Verma, J.)

RCP